

IN THE CLAIMS

Please amend the claims as follows:

1. (Currently Amended) A nonaqueous electrolyte secondary battery comprising:
 - a positive electrode;
 - a negative electrode containing a negative electrode active material including carbonaceous particles comprising graphite, said carbonaceous particles each including silicon oxide phases dispersed therein, said silicon oxide phases each including an Si phase dispersed therein; and
 - a nonaqueous electrolyte;wherein the negative electrode active material is 1.5° or more and 8° or less in a half width of a diffraction peak derived from (220) plane of silicon in powder X-ray diffraction, and
 - an average size of the Si phase is less than 100 nm.

2. (Original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the average size of the Si phase is 1 nm or more and less than 100 nm.

3. (Original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the average size of the Si phase is 2 nm or more and 50 nm or less.

4. (Original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the half width is 2° or more and 6° or less.

5. (Original) The nonaqueous electrolyte secondary battery according to claim 1, wherein the carbonaceous particles satisfy the following formula (1):

$$0.2 \leq (X_1/X_2) \leq 2 \quad (1)$$

where the X_1 is a molar number of a silicon atom in the carbonaceous particles, and the X_2 is a molar number of a carbon atom in the carbonaceous particles.

6. (Original) The nonaqueous electrolyte secondary battery according to claim 1, wherein an average particle size of the carbonaceous particles is 5 μm or more and 100 μm or less.

7. (Canceled)

8. (Previously Presented) The nonaqueous electrolyte secondary battery according to claim 1, wherein the silicon oxide phase contains at least one compound of SiO_2 and SiO .

9. (Canceled)

10. (Previously Presented) The nonaqueous electrolyte secondary battery according to claim 1, wherein the carbonaceous particles satisfy the following formula (2):

$$0.6 \leq (X_1/X_3) \leq 1.5 \quad (2)$$

where the X_1 is a molar number of a silicon atom of the Si phase, and the X_3 is a molar number of a silicon oxide molecule of the silicon oxide phase.

11. (Currently Amended) A negative electrode active material for nonaqueous electrolyte secondary battery, including carbonaceous particles comprising graphite, said

carbonaceous particles each including silicon oxide phases dispersed therein, said silicon oxide phases each including an Si phase dispersed therein,

wherein a half width of a diffraction peak of (220) plane in powder X-ray diffraction is 1.5° or more and 8° or less, and

an average size of the Si phase is less than 100 nm.

12. (Original) The negative electrode active material for nonaqueous electrolyte secondary battery, according to claim 11, wherein the average size of the Si phase is 1 nm or more and less than 100 nm.

13. (Original) The negative electrode active material for nonaqueous electrolyte secondary battery, according to claim 11, wherein the half width is 2° or more and 6° or less.

14. (Original) The negative electrode active material for nonaqueous electrolyte secondary battery, according to claim 11, wherein an average particle size of the carbonaceous particles is 5 µm or more and 100 µm or less.

15. (Canceled)

16. (Previously Presented) The negative electrode active material for nonaqueous electrolyte secondary battery, according to claim 11, wherein the silicon oxide phase contains at least one compound of SiO₂ and SiO.

17. (Canceled).